

**APPLICANT: Mr. Jason Harris**

**833 Broadway**

**East Providence, RI 02914**

**USE OR OCCUPANCY: Health Care**

**The above-captioned case was scheduled for an on-site Subcommittee Hearing on January 21, 2014 at 1:00 P.M. At that time, Chairman Newbrook, Vice Chairperson Filippi and Commissioners Booth, Walker, Richard, Blackburn, Burlingame and Sylvester were present. The fire service was represented by Deputy State Fire Marshals Scott Caron and Thomas Dettore of the State Fire Marshal's Office and Assistant Deputy State Fire Marshal James Bellamy of the East Providence Fire Marshal's Office. The Applicant was represented by Mr. Jason Harris, facility administrator. A motion was made by Commissioner Sylvester and seconded by Vice-Chairperson Filippi to recommend that the full Board grant the relief approved at the Subcommittee Hearing. The motion was unanimous.**

## **CONCLUSIONS AND VARIANCE REQUESTS**

**1. [13-1286-VN] The Board hereby grants the Applicant a time variance of thirty (30) days from the date of the final decision in which to develop and submit a plan of action for the installation of automatic sprinkler protection on the exterior porch [Whelden Street side] and the Broadway entrance. The Board further grants the**

**Applicant an additional one hundred fifty (150) days in order to implement the above plan of action, at the direction and to the satisfaction of the State Fire Marshal's Office.**

**2. [13-1287-VN] The Board hereby grants the Applicant relief from the minimum construction requirements for an existing three-story fully sprinklered healthcare facility of Type V (000) construction with the understanding that the 3rd floor is to remain secured and vacant with no storage and that the crawl space beneath the building be secured with storage limited to the existing spare air conditioning units currently located in this space. In consideration thereof, the Board further directs and grants the Applicant the time variance outlined in item 1 above to replace all existing sprinkler heads throughout the facility with listed quick-response (QR) sprinkler heads, at the direction and to the satisfaction of the State Fire Marshal's Office.**

**3. [13-1288-VN] The Board hereby grants the Applicant the time variance outlined in item 1 above to replace all non-conforming stair handrails in the facility with handrails having a minimum 1½ inch (38 mm) clearance between the handrail and the wall to which it is fastened. The Board hereby grants further relief for the rear [Whelden Street side] stair descending from the 2nd floor to the 1st floor to have only one (1) handrail, on the right-hand side.**

**4. [13-1290-VN] It is the understanding of the Board that the Applicant has corrected this deficiency by ensuring that all exit signs on the 2nd floor stairways are unobstructed and visible.**

**5. [13-1296-VN] The Board hereby grants the Applicant relief based upon a structural hardship to maintain the existing thirty-five inch (35") corridor width on the 2nd floor of the old structure.**

**6. [13-1298-VN] The Board hereby grants the Applicant relief based upon a structural hardship to maintain the existing thirty-four inch (34") stair width on the 2nd floor of the structure.**

**7. [13-1311-VN] The Board hereby grants the Applicant relief based upon a structural hardship to maintain the existing non-conforming winders in the rear stairway.**

**8. [13-1312-VN] The Board hereby grants the Applicant relief based upon a structural hardship to maintain the existing thirty-two inch (32") width [clear width of 30½"] of the exit door from the rear stairway to the porch.**

**9. [13-1314-VN] The Board hereby grants the Applicant the time variance outlined in item 1 above to install a system smoke detector at the top of the stair landing across from Room # 24.**

**10. [13-1315-VN] It is the understanding of the Board that heat detection in the interstitial space above the suspended ceiling assembly in the basement stairway is not required as the space is protected by automatic sprinkler coverage. In consideration thereof, the Board further directs and grants the Applicant the time variance outlined in item 1 above to provide separation of this space by installing a layer of 5/8" gypsum wallboard to provide an approximate 1-hour fire resistance rating, at the direction and to the satisfaction of the State Fire Marshal's Office.**

**11. [13-1316-VN] The Board hereby grants the Applicant relief based**

upon a structural hardship to maintain the existing 69” headroom in the basement stairs provided that suitable warning signage/markings are installed, at the direction and to the satisfaction of the State Fire Marshal’s Office.

12. [13-1317-VN] The Board hereby grants the Applicant relief based upon a structural hardship to maintain the existing headroom in the basement level noting projections to less than 80”.

13. [13-1321-VN] It is the understanding of the Board that the Applicant has corrected this deficiency by removing the cited door.

14. [13-1324-VN] The Board hereby grants the Applicant relief based upon a structural hardship to maintain the existing non-rated main stairway from the 2nd floor as a means of egress.

15. [13-1285-VN] It is the understanding of the Board that the Applicant has corrected this deficiency by replacing the missing protective cap on the exterior sprinkler fire department connection [FDC].

Finally, the Board hereby authorizes the State Fire Marshal’s Office to extend the above timelines for good faith efforts being demonstrated by the applicant.